

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEA CARRIERS LP I and
SEA CARRIERS CORPORATION
(individually and on behalf of those
similarly situated),

v.

NYSE EURONEXT, INC., et als.

:
: Case No. 07-civ-4658 (LAP)
:
: **AFFIDAVIT OF SERVICE**
:
:
:
:

I, Joseph G. Harraka, Jr., under penalties of perjury, hereby declare as follows:

1. I am a partner in the law firm Becker Meisel LLC, attorneys for Named Plaintiffs Sea Carriers LP I and Sea Carriers Corporation in this putative class action. I have full knowledge of the facts set forth herein.

2. Our office retained Guaranteed Subpoena Service Company, Inc. ("Guaranteed") to effect service of process upon Defendant Bank of America Corporation.

3. The aforementioned defendants were served in accordance with Federal Rule of Civil Procedure 4(h) and Article III of the New York Civil Practice Law by hand delivering the summons and complaint to their managing agent. The original Proofs of Service executed by Guaranteed are attached hereto as Exhibit A

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are false, I am subject to punishment.



JOSEPH G. HARRAKA, JR. (JH-9474)

Dated: November 12, 2007

EXHIBIT A



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE:

9/7/07

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

BANK OF AMERICA CORPORATION

Place where served:

201 N Tryon St Charlotte NC

☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Chris Yeager

Relationship to defendant: ASST MANAGER

Description of person accepting service:

SEX: M AGE: 35 HEIGHT: 6'3" WEIGHT: 210 SKIN: W HAIR: BROWN OTHER: _____

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 9/7/07

Susan J. Watson, L.S.

SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JOSEPH G. HARRAKA, JR., ESQ.
PLAINTIFF: SEA CARRIERS LP I, ET AL
DEFENDANT: NYSE EURONEXT, INC., ET AL
VENUE: DISTRICT OF NEW YORK
DOCKET: 07 CV 6458

SR

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.